

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

The Trustees of Purdue University,

Plaintiff,

vs.

STMicroelectronics International N.V., and
STMicroelectronics, Inc.

Defendants.

Case No. 6:21–CV–00727-ADA

ORDERS ON PENDING DISCOVERY DISPUTES

On March 17, 2023, the Parties submitted a dispute chart titled “ST’s Request to Quash Plaintiff’s 30(b)(1) Notices Served March 13 at 5:47 pm Demanding Witnesses Appear Five Business Days Later, on March 20 and 21, and for Fees” to the Court. ST sought to quash the deposition notices for Roberto Biazza and Kelly Flanders. Having considered the representations and arguments of counsel in the submitted materials, the Court rules as follows:

The request to quash the depositions of Ms. Flanders and Mr. Biazza as noticed on March 20 and 21 is GRANTED. However, ST is otherwise ORDERED to produce Roberto Biazza and Kelly Flanders for Rule 30(b)(1) depositions before the April 20, 2023 Rule 30(b)(6) deposition of ST’s corporate representative on its ERP system consistent with the Court’s Order (Dkt. 269). ST’s request for fees is DENIED.

Also on March 17, 2023, the Parties submitted a dispute chart titled “Whether ST can continue to avoid the Court’s March 3, 2023 order requiring ST to produce a corporate representative deponent on the ERP system” in which Trustees of Purdue University (“Purdue”)

sought to compel ST to provide a deponent before April 20, 2023, the date ST had requested in a motion seeking to extend the deadline in the Court's order compelling the ERP deposition to take place by March 16, 2023. (Dkt. 269) Having considered the representations and arguments of counsel in the submitted materials, the Court rules as follows:

ST's request for an extension to produce a corporate representative on the ERP system consistent with the Court's Order (Dkt. 269) until April 20, 2023 is GRANTED. To the extent the deposition uncovers additional information not produced, Purdue can seek the Court's assistance for additional time or relief. Purdue's request for fees is DENIED.

Also on March 17, 2023 the Parties submitted a dispute chart titled "Plaintiff's Failure to Provide 30(b)(6) Objections and Responses, or Any Proposed Dates for Any of Its 30(b)(1) or 30(b)(6) Witnesses" to the Court. Having considered the representations and arguments of counsel in the submitted materials, the Court rules as follows:

ST's request is GRANTED. The Court hereby ORDERS that Purdue shall by March 28, 2023 provide ST with Purdue's objections to the Amended Rule 30(b)(6) Notice of Deposition, identify the deponent(s) for each topic and provide dates for the following depositions: (a) Ken Waite as Purdue's 30(b)(6) on the topics for which he is designated, (b) Matt Halladay, both for his personal 30(b)(1) and as Purdue's 30(b)(6) on the topics for which he is designated, (c) Brooke Beier for her personal 30(b)(1) deposition to be taken after she returns from maternity leave, (d) Dr. Cooper, both for his personal 30(b)(1) and as Purdue's 30(b)(6) on the topics for which he is designated, (e) designees for any other 30(b)(6) topics not covered by any of the above witnesses, and (f) the prosecution attorney depositions that were the subject of the March 3 hearing.

Also on March 17, 2023, the Parties submitted a dispute chart entitled “Whether ST can delay producing corporate representative deponents on technical issues until May” to the Court. Having considered the representations and arguments of counsel in the submitted materials, the Court rules as follows:

The request by Purdue to compel earlier depositions on technical Rule 30(b)(6) topics is DENIED. ST is not required to present Mario Saggio earlier than May 2, 2023. However, to the extent the technical topic depositions uncover facts or documents not produced, Purdue can seek relief from the Court as needed.

All other requested relief by either party is DENIED.

SO ORDERED.

SIGNED this 23rd day of March 2023.


DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE